

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 554 final.

Brussels, 9 November 1977

Proposal for a  
COUNCIL REGULATION (EEC)  
amending Regulation (EEC) No 2114/71 on the subsidy  
for oil seeds

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(submitted to the Council by the Commission)

COM(77) 554 final.



EXPLANATORY MEMORANDUM

At the meeting of the Council of Ministers on 25 and 26 April 1977 the Council and the Commission expressed their intention, as regards colza and rape seeds harvested as from the 1978/79 marketing year, to limit the granting of the subsidy to seeds having a low erucic acid content and to the quantities of other seeds used by the chemical industry.

The purpose of this draft is to provide for such a limitation of the subsidy as well as to ensure that, in regard to colza and rape seeds having a high erucic acid content the subsidy is paid only when these seeds have been put to a non-food use.

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COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2114/71 on the subsidy for oil seeds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966, on the establishment of a common organization of the market in oils and fats <sup>1)</sup>, as last amended by Regulation (EEC) No 1707/73 <sup>2)</sup>, and in particular Article 27 (3) thereof,

Having regard to the proposal from the Commission,

Whereas the Scientific Committee for Food recommended in its Opinion on colza oil that, where this oil is used in food, preference should be given to varieties of oil having a low erucic acid content;

Whereas most Community producers have already begun using for their crops seed of low erucic acid content; whereas, to encourage them to pursue this conversion measure, Council Regulation (EEC) No 2114/71 of 28 September 1971 on the subsidy for oil seeds <sup>3)</sup>, should be amended to restrict the subsidy, in the case of production intended for use in food, to seed the erucic acid content of which does not exceed a certain limit;

Whereas the subsidy should only be granted for seed with a high erucic acid content when it is intended for non-food uses,

HAS ADOPTED THIS REGULATION:

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1) OJ No 172, 30.9.1966, p. 3025/66

2) OJ No L 175, 29.6.1973, p. 5

3) OJ No L 222, 2.10.1971, p. 2.

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Article 1

The following paragraph is hereby added to Article 1 of Regulation (EEC) No 2114/71:

"In the case of colza and rape seeds the oil of which is intended for use in food, the subsidy shall be granted only for seeds the oil of which has an erucic acid content, calculated on the basis of its total content in fatty acid in the oily phase, not exceeding a percentage to be determined in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 2

Article 10 of Regulation (EEC) No 2114/71 is hereby amended to read as follows:

"Article 10

1. Entitlement to the subsidy shall be acquired
  - (a) in the case of colza and rape seeds the oil of which is intended for use in food and in the case of sunflower seeds, when the said seeds are processed for the production of oil;
  - (b) in the case of colza and rape seeds the oil of which is intended for non-food uses, when the oil for these seeds has been put to the intended use.
2. The subsidy shall be paid to the holder of the certificate referred to in Article 4 in the Member State in which the seeds are placed under control
  - in the case of the seeds referred to in paragraph 1 (a), when proof of processing is furnished;
  - in the case of the seeds referred to in paragraph 1 (b), when proof is furnished that the oil has been put to the intended use.

However, the subsidy may be paid in advance as soon as the seeds have been placed under control, on condition that a guarantee for their processing is lodged".

Article 3

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

It shall apply with effect from 1 July 1978.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council